

FILED
U.S. MAGISTRATE JUDGE

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DATE: April 30, 2021

TIME: 2:15 p.m.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARIAN POENARU,

Defendant.

Case No. 2:21-mj- 00372-EJY

COMPLAINT

for violations of:

Possession of Counterfeit and

Unauthorized Access Devices

(18 U.S.C. § 1029(a)(3) and (c)(1)(A)(i))

BEFORE the United States Magistrate Judge, Las Vegas, Nevada, the undersigned
Complainant, being duly sworn, deposes and states:

COUNT ONE

Possession of Counterfeit and Unauthorized Access Devices

(18 U.S.C. § 1029(a)(3) and (c)(1)(A)(i))

On or about April 25, 2021, in the State and Federal District of Nevada,

MARIAN POENARU,

defendant herein, knowingly and with intent to defraud, possessed fifteen or more
counterfeit and unauthorized access devices, namely at least fifteen counterfeit gift cards
that were re-encoded with account information belonging to other people, said possession
affecting interstate and foreign commerce, in violation of 18 U.S.C. § 1029(a)(3) and
(c)(1)(A)(i).

PROBABLE CAUSE

Complainant, Jared Lamos, states the following as and for probable cause:

1. I am a Special Agent (SA) with the United States Secret Service (USSS) and have been employed since April 2018. Currently, I am assigned to the Las Vegas Field Office and is responsible for investigating crimes targeting the United States financial infrastructure, including but not limited to, counterfeit currency, securities, and obligations, access device fraud, bank fraud, and computer fraud. I have experience in conducting criminal investigations, conducting interviews with witnesses, defendants and plaintiffs, collecting and handling evidence, and executing arrest and search warrants. I have received training pertaining to investigations regarding various types of fraud from the Federal Law Enforcement Training Center (FLETC) and the USSS James J Rowley Training Center (JJRTC). I have also conducted surveillances, financial analysis of individuals, and collaborated with other law enforcement agencies and enacted arrests in connection with fraud investigations.

2. The following information contained within this Criminal Complaint is based upon my own participation in this investigation, as well as information and reports provided to me by other law enforcement personnel. This statement does not include any and all information in reference to this investigation, but rather only those facts necessary to establish probable cause.

3. Since October 2020, Las Vegas Metropolitan Police Department (LVMPD) and the USSS have been conducting an investigation involving the installation of skimmer devices around ATMs in the Las Vegas Valley area. Skimmer devices are designed to be inserted into the card reader slots of the ATMs and read the encoded account data from victim payment cards as they are being used at the ATMs. The stolen account data could be

1 used to re-encode other cards, essentially converting these other cards to be recognized as
2 the victims' cards which, along with victims' PIN codes, could be used to withdraw funds
3 from the victims' accounts. Along with the skimmer devices, the fraudsters also installed
4 hidden cameras at these ATMs to record the victims as they typed in their PIN codes while
5 using the ATMs.

6 4. During the course of the investigation, investigators reviewed video
7 surveillance footage received from the victim banks, which recorded the fraudsters as they
8 installed these devices at the ATMs. In these recordings, a white Range Rover occupied by
9 several males could be observed. Investigators were able to obtain the license plate of the
10 vehicle, which was determined to be a rental. Using investigative tools available to them,
11 investigators was able to use the license plate number to locate the vehicle in the parking lot
12 of 2700 N. Rainbow Blvd. in Las Vegas, which is an apartment complex.

13 5. On or about April 25, 2021, surveillance was established at the complex, and
14 officers observed the vehicle being driven to this location. The vehicle was parked, and three
15 males exited the vehicle. These three individuals walked into Building 13 of the complex.
16 Later, two of the individuals observed earlier walked out of Building 13 and entered the
17 white Range Rover, at which point investigators decided to detain them.

18 6. One of the detained individuals identified himself as MARIAN POENARU
19 and told officers that he lived at Apartment 2097 in Building 13. POENARU consented to a
20 search of his person, during which officers found multiple prepaid gift cards that appeared
21 fraudulent, due to them having handwritten PIN codes written on them. Officers also found
22 two Italian identification cards with other people's names but bearing POENARU's photo.
23 The identification cards were missing known security features, thus likely to be fake. The
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1 gift cards were later confirmed to have been re-encoded with account information from
2 other debit cards.

3 7. Around 2 a.m. on or about April 26, 2021, investigators executed a state court
4 search warrant to search the apartment. During the search, officers recovered 12 skimmers,
5 pinhole cameras, electronic parts used to manufacture said skimmers, multiple laptops, a
6 magnetic reader writer that could be used to re-encode payment cards, approximately 575
7 re-encoded gift cards, some of which appear to have been re-encoded with account
8 information belonging to debit cards issued by the Nevada Department of Employment,
9 Training, and Rehabilitation to disburse unemployment benefits. Officers also located two
10 additional French identification cards bearing POENARU's photo but in other people's
11 names, which again were missing known security features and likely fake.

12 8. Due to the fact that POENARU (1) was found to have fraudulent gift cards
13 on his person, (2) told investigators that he lived in Apartment 2097, (3) subsequent search
14 of said apartment revealed 575 more fraudulent gift cards and skimmer devices, and (4) fake
15 identification cards bearing his photo were found both on his person and in the apartment,
16 there is probable cause to believe that the gift cards recovered belonged to POENARU, were
17 counterfeit and unauthorized, and were possessed knowingly with the intent to defraud.

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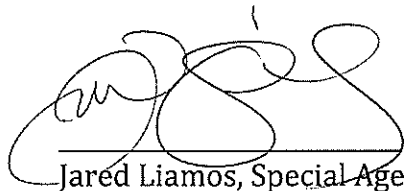
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5 9. Based on the above, I believe there is probable cause that MARIAN POENARU
6 did violate 18 U.S.C. § 1029(a)(3) (Possession of Counterfeit and Unauthorized Access
7 Devices).

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10 
Jared Lamos, Special Agent
United States Secret Service

11 Attested to by the applicant in accordance with the requirements
12 of Fed. R. Crim. P. 4.1 by telephone on April 30th, 2021.

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14 
15 HONORABLE ELAYNA J. YOUCHAH
UNITED STATES MAGISTRATE JUDGE